

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

WENGER, F. et al.

Atty. Ref.: 4114-9; Confirmation No. 1361

Appl. No. 10/751,117

TC/A.U. 2611

Filed: January 05, 2004

Examiner: Flores, Leon

For: METHOD AND DEVICE FOR PROVIDING TIMING INFORMATION IN A WIRELESS  
COMMUNICATION SYSTEM

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August 14, 2007

SL TO  
ET/EM

Box AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

CE  
8/29/07

**REQUEST FOR RECONSIDERATION AFTER FINAL**

In response to the final action dated May 17, 2007, Applicants respectfully request reconsideration.

In the Office Action, the Examiner maintains the anticipation rejection based on Weigand arguing that “[o]ne skilled in the art would know that, scaling of a signal may take place either before or after quantization.” Applicants submit that this is not the appropriate legal analysis for anticipation. The language being employed by the Examiner admits that Weigand does not disclose “scaling the training signal with a variable scaling factor” followed by “quantizing the scaled training signal.” Instead, the Examiner is relying on the level of skill to supply the missing claim features. But for anticipation, every limitation contained in the claims must be present in the Weigand reference, and because Weigand is missing the quoted claim features, it